

AMENDED IN ASSEMBLY APRIL 24, 2014

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CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2282

Introduced by Assembly Member Gatto

February 21, 2014

An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL’S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water infrastructure.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the ~~code~~ *California Building Standards Code* in its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the ~~California Building Standards Commission~~ *commission* and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the ~~Department of Housing and Community Development~~, *department* in consultation with other designated entities, to conduct research to assist in the development of, and to propose the adoption, amendment, or repeal by the ~~California Building Standards Commission~~, *commission*, of mandatory building standards for the installation of recycled water infrastructure for newly constructed single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this ~~purpose~~ *purpose*, upon appropriation. The bill would require the department to limit the mandate to install recycled water piping to areas within a local jurisdiction that meet specified conditions, and to consider whether a service area plans to provide potable water prior to mandating the use of recycled water piping. ~~This~~ *The bill would require the department to seek advice from specified entities when developing the application provisions for the mandatory building standards. The bill would require the State Building Standards Commission* *commission* to undertake identical research and activities with respect to development of mandatory green building standards for the installation of recycled water infrastructure for newly constructed commercial and public buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17921.5 is added to the Health and Safety
2 Code, to read:
3 17921.5. (a) (1) The department shall conduct research to
4 assist in the development of mandatory building standards for the
5 installation of recycled water infrastructure for newly constructed
6 single-family and multifamily residential buildings. In conducting
7 this research, the department shall actively consult with the State
8 Water Resources Control ~~Board~~ *Board, the State Department of*
9 *Public Health*, and other interested parties, including, but not
10 limited to, ~~local water utility companies, public water systems,~~
11 *recycled water producers*, product manufacturers, local building
12 officials, apartment owners, certified contractors, and the building
13 industry.

(2) In researching, developing, and proposing mandatory building standards under this section, the department may expend funds from the Building Standards Administration Special Revolving ~~Fund~~ *Fund*, upon appropriation pursuant to Section 18931.7.

(3) Research conducted ~~in order~~ to propose building standards pursuant to this section shall include, but is not limited to, the following:

(A) Potential outdoor applications for recycled water, including drip and sprinkler irrigation and use in certain aesthetic water features.

(B) Potential indoor applications for recycled water, including use in toilets, washing machines, or both. With respect to indoor applications, the department shall consider whether to adopt or recommend measures to ensure that indoor recycled water piping is safely installed, including, but not limited to, requiring *purple pipe* special markings on recycled water piping that states clearly whether it is approved for indoor use, or recommending restrictions on who may purchase or install recycled water piping for indoor use.

(C) The cost of various recycled water systems and infrastructure.

(D) The estimated quantity of water savings under varying levels of application of recycled water in residential buildings and adjacent landscaping.

(b) (1) The department shall propose the adoption, amendment, or repeal by the California Building Standards Commission pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5, of mandatory building standards for the installation of future recycled water infrastructure for single-family residential and multifamily residential buildings. The department shall submit these proposed mandatory building standards to the commission for consideration in the next regularly scheduled Intervening Code Cycle adopted after January 1, 2017.

(2) When developing the application provisions for the mandatory building standards, the department shall limit the mandate to install recycled water piping to only those areas within a local jurisdiction that have feasible and cost-efficient access to a water recycling facility, or that have been identified by the local ~~jurisdictions residing~~ *jurisdiction* within a planned service area

1 for the provision of recycled water for which a specific
2 implementation timeline has been ~~identified~~. *identified by the*
3 *public water system in its most recent urban water management*
4 *plan.*

5 (3) The department shall consider whether a service area plans
6 to provide potable water prior to mandating the use of recycled
7 water piping.

8 (4) In developing the *mandatory* building standards required
9 under paragraph (1), the department shall consider the definition
10 for recycled water as established in Section 60301 of Title 22 of
11 the California Code of Regulations.

12 (5) *The department shall seek advice from the State Department*
13 *of Public Health, the Department of Water Resources, the State*
14 *Water Resources Control Board, public water systems, recycled*
15 *water producers, and water research associations when developing*
16 *the application provisions for the mandatory building standards*
17 *required under paragraph (1).*

18 (6) *A city, county, or city and county, in consultation with the*
19 *public water system and recycled water producer, may further*
20 *reduce the area for which the mandate to install recycled water*
21 *piping applies, if the local public water system or recycled water*
22 *producer finds that providing recycled water to an area is not*
23 *feasible or cost effective.*

24 SEC. 2. Section 18940.6 is added to the Health and Safety
25 Code, to read:

26 18940.6. (a) (1) The California Building Standards
27 Commission shall conduct research to assist in the development
28 of mandatory green building standards for the installation of
29 recycled water infrastructure for newly constructed commercial
30 and public buildings. In conducting this research, the commission
31 shall actively consult with the State Water Resources Control
32 ~~Board~~ *Board, the State Department of Public Health, and other*
33 *interested parties, including, but not limited to, local water utility*
34 ~~companies,~~ *public water systems, recycled water producers,*
35 *product manufacturers, local building officials, apartment owners,*
36 *certified contractors, and the building industry.*

37 (2) In researching, developing, and proposing mandatory
38 building standards under this section, the commission may expend
39 funds from the Building Standards Administration Special

1 Revolving ~~Fund~~ *Fund*, upon appropriation pursuant to Section
2 18931.7.

3 (3) Research conducted in order to propose building standards
4 pursuant to this section shall include, but is not limited to, the
5 following:

6 (A) Potential outdoor applications for recycled water, including
7 drip and sprinkler irrigation and use in certain aesthetic water
8 features.

9 (B) Potential indoor applications for recycled water, including
10 use in toilets, washing machines, or both. With respect to indoor
11 applications, the commission shall consider whether to adopt or
12 recommend measures to ensure that indoor recycled water piping
13 is safely installed, including, but not limited to, requiring *purple*
14 *pipe* or special markings on recycled water piping that states clearly
15 whether it is approved for indoor use, or recommending restrictions
16 on who may purchase or install recycled water piping for indoor
17 use.

18 (C) The cost of various recycled water systems and
19 infrastructure.

20 (D) The estimated quantity of water savings under varying levels
21 of application of recycled water in commercial and public buildings
22 and adjacent landscaping.

23 (b) (1) The Building Standards Commission shall develop and
24 adopt mandatory building standards for the installation of future
25 recycled water infrastructure for commercial and public buildings
26 in the next regularly scheduled Intervening Code Cycle adopted
27 after January 1, 2017.

28 (2) When developing the application provisions for the
29 mandatory building standards, the commission shall limit the
30 mandate to install recycled water piping to only those areas within
31 a local jurisdiction that have feasible and cost-efficient access to
32 a water recycling facility, or that have been identified by the local
33 ~~jurisdictions residing~~ *jurisdiction* within a planned service area
34 for the provision of recycled water for which a specific
35 implementation timeline has been ~~identified~~. *identified by the*
36 *public water system in its most recent urban water management*
37 *plan*.

38 (3) The commission shall consider whether a service area plans
39 to provide potable water prior to mandating the use of recycled
40 water piping.

1 (4) In developing the *mandatory* building standards required
2 under paragraph (1), the department shall consider the definition
3 for recycled water as established in Section 60301 of Title 22 of
4 the California Code of Regulations.

5 (5) *The department shall seek advice from the State Department*
6 *of Public Health, the Department of Water Resources, the State*
7 *Water Resources Control Board, public water systems, recycled*
8 *water producers, and water research associations when developing*
9 *the application provisions for the mandatory building standards*
10 *required under paragraph (1).*

11 (6) *A city, county, or city and county, in consultation with the*
12 *public water system and recycled water producer, may further*
13 *reduce the area for which the mandate to install recycled water*
14 *piping applies, if the local public water system or recycled water*
15 *producer finds that providing recycled water to an area is not*
16 *feasible or cost effective.*